

**From:** Robert J. Berger  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

I was shocked and dismayed when I heard the proposed settlement offered by the Justice Department. It had weaker remedies than even the US Appeals Court had already declared as sensible.

Microsoft is in court as a repeat offender. The current antitrust suit, in which a federal district court and an appeals court have both affirmed that Microsoft is a monopoly and that it has abused its monopoly powers, arose out of the failure of a previous consent-decree settlement of an earlier antitrust case.

Microsoft must not be given another wrist slap and allowed to expand even further its monopolist ways. It is now extending its monopoly into the entertainment, news, game software/hardware, cableTV and Internet.

Combine this with their huge cash reserves (which the SEC should be looking into as to why they are not distributing it as dividends to their shareholders) they will be able to control public opinion and the politician's wallet/mindshare.

If they are not stopped now, they will shut down innovation in every key sector of our economy.

To quote Dan Gilmore, Technology Columnist of the San Jose Mercury News:

""Sellout" isn't too strong a word to describe the U.S. Justice Department's settlement with Microsoft. Neither is "dangerous."

This deal, assuming it takes hold, is not even a wrist slap. It's a love letter to the most arrogant and unrepentant monopolist since Standard Oil. It's an invitation to keep on plundering and whacking competition in the most important marketplace of our times, the information marketplace.

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The settlement not only doesn't even force the company to stop

doing what eight federal judges found illegal, but it provides no penalty for the illegal acts. Locking in the ill-gained profits of crime -- bank robbers wish they could get such dispensation."

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Robert J. Berger Chairman and Founder  
UltraDevices, Inc. 257 Castro Street, Suite 223 Mt. View CA. 94041  
Home: Saratoga, CA 95070  
Email: [rberger@ultradevices.com](mailto:rberger@ultradevices.com) <http://www.ultradevices.com>  
Voice: 408-882-4755 Fax: 408-490-2868